

What is Best for Maui  
is Best for the News

# MAUI NEWS.

If you wish Prosperity  
Advertise in the News

VOLUME XVII

WAILUKU, MAUI, H. T., SATURDAY, MAY 21, 1910

NUMBER 14

## Supervisors Meet Again

### They Ratify Compromise of Wailuku Water Suit

The Maui County Supervisors held a special session Wednesday afternoon, this week, with Chairman Pogue presiding, and Messrs. T. B. Lyons, Geo. Kaubi, Theo. T. Meyer and W. P. Haia in their accustomed seats around the board table.

After the reading of certain papers and the disposition of unavoidable routine matters, Supervisor Meyer reported verbally on the accusations of botch work on the sea-wall of the approaches to the newly built bridge at Honouliwai, Molokai. He characterized the charges as a malicious falsehood. The sea-wall of rubble stone had been built as in the plans and was of the height called for in the specifications, that the waves splashed over the wall and on the road at high tide was no fault of the contractor at all. The report was accepted.

The main business of the meeting was then taken up, and a resolution to ratify the terms of the compromise in the suit of the Wailuku Sugar Company vs. the Territory of Hawaii was passed by a unanimous vote of the entire board of supervisors.

Before the vote was taken, however, Chairman Pogue asked Manager Penhallow of the Wailuku Sugar Co. if the ratification of the terms of the compromise would dissolve the injunction now in force. Mr. Penhallow replied that such would be the natural result.

Leaving out the formal phrasing the substance of the compromise are as follows:

In order to arrive at a basis for effecting a compromise in said suit both parties thereto agree that thirty thousand gallons per twenty-four hours shall be the amount of water allowed for the water right of each acre of taro land now owned or leased by the County of Maui.

That owners of taro land taking water from the government mains be allowed free by the government in lieu, of the supply from open auwaiis 2.67 gallons per month per square foot of the area of such taro land;

That the leases of water rights now held by the County be assigned to the Wailuku Sugar Company;

That the County will lease to the Wailuku Sugar Co. at one dollar per year the water rights to the "Kaluia lot," "Court House lot," and "Kaahumanu Church lot;"

That the Territory of Hawaii will not during the life of this agreement acquire, except through the plantation, any further rights to water from Iao Valley by lease, etc., except the balance of the water right of J. Dutro. This provision not to affect arrangements whereby owners of taro land may get water through government mains, nor the acquiring of land by the County or Territory for public purposes having water rights appurtenant thereto, it being understood in such event the County or Territory will transfer such water rights to the plantation at a valuation determined by arbitration.

That the County cancel its leases with Jos. Nunes Anslemo and Frank Robello, also that with J. Dutro if unable to get said water right.

That in consideration of the payment to the Wailuku Sugar Co. by the County of the rental of above leases remaining in force said Company will allow the County to take a

## Jurors Drawn for June Term

### Circuit Court Gets Ready for the Lahaina Term

The following Grand and Trial Jurors were drawn Tuesday May 17, 1910, to serve at the June Term of this Court at Lahaina, Maui. Both juries returnable June 15th, at 10 a. m.

Grand Jurors.—John J. Walsh, Thomas Brown, C. Hansen, M. J. Moura, F. G. Duarte, Geo. R. Lindsay, Viola, Jr., James Meheula, Ed. Wilcox, F. F. Baldwin, Joseph Freitas, J. E. Gannon, Henry Kana, C. E. Robinson, A. J. McLeod, Thos. Clark, John Brown, Sr., J. A. Ricard, J. A. Kahakauila, John Kaluna, W. E. Bal, Jr., Warren Newton and Benito Guerrero.

Trial Jurors.—Angus McPhee, Wm. Olsen, Joe Pereira, Arthur W. Collins, Geo. Cockett, Geo. N. Weight, Ed. Forsythe, Charles Thompson, David Morton, Jr., David Morton, Sr., Manuel Medeiros, Jr., Jas. R. Love, H. D. Sloggett, Joe. H. Silva, W. W. Westcott, D. A. Kiakona, Wm. von Seggern, D. C. Lindsay, Wm. K. Buchanan, E. C. Botfeld, Wm. Clark, W. Hickey, W. S. Mountcastle, C. M. Roberts, Chas. A. Murasky and A. A. Gerner.

volume of water to the amount represented by the area of seven lots enumerated having a surface area of 16,996 acres, or in other words over 500,000 gallons of water daily.

At the expiration of the leases above referred to the County agrees to take water from the Wailuku Sugar Company at the rate of ten dollars per million gallons;

Any surplus waters of the amount the County is entitled to may be used by the Wailuku Sugar Co. free of charge;

That the Wailuku Sugar Co. give the County, free of charge, a right-of-way for its pipe line from the present reservoir to the new water head;

That the County by October 1st of each year furnish the plantation the limit of their daily requirements for the calendar year next ensuing, with a complete list of the users who have water privileges for taro land and area so watered;

That water provided for under this agreement be used for domestic purposes, to water lawns and ordinary public uses common to a city or town, that no water affected by this agreement shall be used for general irrigation purposes;

No established taro land water right shall lose such rights through the purchase and use of water from the public mains by its owner.

The agreement was approved by A. Lindsay Jr., Attorney General, W. A. Kinney for the plantation and Douthitt and Coke for the County of Maui.

After its ratification the members of the board and Mr. H. B. Penhallow signed the important document which is to be in force for twenty-five years, and for that length of time at least will be the basis for settlement of water right disputes between the contracting parties.

The Monthly Ministers' Meeting was held at the Paia Union Church last week on Tuesday. There was a large attendance. Rev. Henry P. Judd delivered the first of a series of Sunday School methods, Rev. C. G. Burnham spoke upon "The Sermon Plan," and conducted a drill in work in sermon method, while Rev. Henry K. Poepe and Mr. Kaleo addressed the members in the matter of "Temperance."

## Supervisory Doings

### Kipahulu Road Completed— More Road Work Planned

Hon. M. P. Waiwaiole sent in an application for the position of Sanitary Inspector for Wailuku, and the Board, acting favorably, duly made the appointment, it being the opinion of both the Territorial Attorney General and the County Attorney that an appointment to a subordinate position was not contrary to the restriction imposed by our organic law against legislators holding an office.

The resignation of W. L. Heilbron from the position of Assistant County Engineer was accepted and County Engineer Howell was authorized to appoint another assistant. It is understood that Mr. W. M. Hoge is to be the new assistant.

The last link of the belt road between Kipahulu and Hana has been completed, and Mr. Geo. Aiken of Makawao had the honor of being the first to go over the road from Hana to Kipahulu in an automobile.

Work on the road between Keanae and Wailuanui has been authorized and the firm of A. A. Wilson will superintend the construction of said road.

As a result of piling the executive work of the board in the hands of Chairman Pogue the board voted to allow the Chairman to hire a private secretary, temporarily, at a salary of \$40 a month.

The board has ordered all water privilege holders to install meters, and beginning from July first next water privilege holders in Wailuku shall pay seven and one-half cents and those of Kahului eight cents per thousand gallons used. Lucky owners of water rights will get a rebate. In this connection it is interesting to know, that figures compiled from readings of meters installed in ten house lots and places, both public and private, show a daily use of water running from four hundred gallons to 6750 gallons daily.

The matter of employing a Civil Engineer at a salary of \$200 a month for making surveys for re-organization and relocation of un-completed sections of the belt road was discussed and left over to the next meeting.

The board proposes in a business like manner to thus obtain reliable data in order to be able to present the matter of a bond issue to the next legislature for the purpose of enabling the County to construct an all around belt road for Maui.

Bids were authorized to be called for the construction of a teacher's cottage at Keokea, Kula, Maui, and at Kaunakakai, Molokai.

The board also authorized the calling of bids for the building of additional office room to the County office building.

The construction of four new cells for the Wailuku Jail was authorized.

Complaints from certain residents of Molokai about the condition of the seawall recently built at Honouli-wai-maloo, on the road to Hana valley was referred to Supervisor Meyer to look into and report to the next meeting.

County Engineer Howell was ordered to go over and make surveys for a waterworks for Hana, Maui.

A resolution was passed asking the Governor and Land Commissioner to make an exchange of land with the Kaaleku plantation for the mission lot at Hana. This lot being centrally located is wanted by the authorities for a school lot, a court house yard, a public play ground and a portion for a stable.

When the board adjourned it did so subject to the call of the chair.

## San Gabriel Reception

### Maui Prepares to Welcome Portuguese Cruiser

The Portuguese colony on Maui has made very little display, and advertised a whole lot less, the entertainment which they are preparing to give the officers and crew of the Portuguese cruiser San Gabriel. Yet, if the program that they had prepared for Sunday does not surpass anything given the officers during their stay in Hawaiian waters, the Maui News is mistaken in its guess. Our Portuguese Americans have a way of doing things, their own way without much ado, and the excellent program which it is their intention to carry out, speaks well for the short day which will be spent on this island by the representatives of their home government.

M. G. Santos of Paia, is chairman of the general committee in charge of the affair, and his efforts to make the day a success has been well repaid by the cooperation given him by the members of the various committees appointed. Contributions to the fund have been made by Portuguese of the island, and generous offers by other prominent parties have been gratefully accepted.

The Portuguese Consul, Hon. A. de S. Canavarro will be a guest of the Commander on his trip from Honolulu to Hilo and return, and while on Maui, Mr. Canavarro will be entertained in company with the officials of the cruiser.

According to program, the cruiser will arrive at Kahului, at 8 a. m. Sunday morning. The tug Leslie Baldwin will convey the reception committee and the honorary reception committee consisting of Hon. H. P. Baldwin, Hon. S. B. Kingsbury, Hon. A. N. Kepoikai, County Attorney D. H. Case, Supervisor W. F. Pogue, and Messrs. J. N. S. Williams, R. A. Wadsworth, F. F. Baldwin and H. A. Baldwin, to the cruiser. The San Gabriel will be boarded outside of the harbor by Chairman Santos, and possibly J. Garcia, so that arrangements can be completed with the Consul and Commander.

After the cruiser has been moored Maui's welcome will be extended by the committee, who will be conveyed to the cruiser in a decorated lighter. On shore the officers of the cruiser will be welcomed by Company I of the National Guard and by the Maui County Band in charge of Bandmaster Schrader. The officers will then be taken in charge by the transportation committee and conveyed to Iao Valley, where breakfast will be served at 9:30 a. m. The Iao breakfast is in charge of Mrs. T. Burren, which insures that every detail of the meal will be well cared for.

The entertaining committee, consisting of the transportation committee and others, will then escort the party through the principal points of interest in Central Maui, returning to Kahului at 1:30 p. m. where a real Hawaiian luau will be in waiting. A few short speeches will be made at the luau, which will also be the public reception. Portuguese from all parts of the island are requested to be present at the luau and reception at 2 p. m. Trains will be run from all points of Maui in time for the luau and reception. To avoid any congestion at the ball grounds at Kahului, where the general reception will be held, persons of other nationalities will be admitted by card or ticket. After the luau the officers will be free until 5:30 p. m. when they will be given a grand farewell. The management and officials of the Central Maui plantations have been generous in their assistance, and the members of the committee are thankful that the events scheduled for Sunday will be carried out most successfully.

## HALLEY'S COMET IS ONLY GAS

### Organic Act Amendment Passed—U. S. Marines Lands on Nicaraguan Soil—Respect Shown for King Edward's Memory.

SPECIAL TO THE MAUI NEWS.

Sugar 96 deg. test 4.24 Beets 14s 10 1/2d.

HONOLULU, May 20.—Carl On Tai was convicted for stealing Federal Government property and will be sentenced Saturday.

The condition of Judge Andrews reported yesterday is extremely critical. No one is allowed to see him, and his friends have small hopes for his recovery. Surgeon Judd considers his case a bad one on account of the possibility of internal complications.

Captain J. H. Black, an old kamaaina of Honolulu, who was once the owner of the P. C. Advertiser, died in Philadelphia yesterday. Capt. Black was also a veteran of the civil war.

Ioela Andrew is charged with murder of Alexander Garner. Cluney was admitted to \$5000 bail on the charge of manslaughter. Some of the stores, the banks and government offices will close this morning out of respect to the memory of King Edward.

LONDON, May 20.—About 400,000 persons viewed the remains of King Edward at Westminster Abbey yesterday. All the elaborate preparations for the funeral today are complete.

SAN FRANCISCO, May 20.—Papke knocked out Thomas in the sixteenth round last night.

LUCILLE, May 20.—The forces of Madriz are within striking distance of this city. Battle between Estrada's army and the government forces is expected. In view of the possible capture of the city, marines have been landed from the U. S. warships Paduch and Dubuque to protect American interests.

OIL CITY, May 20.—\$32,000 was stolen from the railroad depot yesterday.

NEW PORT, May 20.—The steamer J. Marshall burned at sea near this place, but no lives were lost.

WASHINGTON, May 20.—The Hetch-Hetchy water case has been submitted by President Taft to a board of army engineers.

SAN FRANCISCO, May 20.—Flannery has been acquitted.

HONOLULU, May 19.—Young Cluney must face a charge of manslaughter for running down and killing De Mello. Astronomers state that the head of Halley's Comet is only gas.

Liquor men are said to be heading off Cupid and offering him a passage to Europe in order to prevent his return to work for prohibition in this Territory.

The resignation of Walter F. Drake, U. S. Collector of Internal Revenue for this Territory, has been accepted and applicants are cabling to Washington.

W. W. Hall is at the point of death from heart trouble.

The San Gabriel will leave Honolulu Saturday to arrive at Kahului, Sunday morning, and after a short stay will leave Sunday evening arriving at Hilo Monday morning, and will remain there till Thursday. Canavarro will be a guest of the captain.

SAN FRANCISCO, May 19.—It has been definitely settled that the big fight cannot be pulled off at Emeryville, and Rickard has hopes of getting it at San Francisco.

HAVANA, Cuba, May 19.—A terrific explosion of dynamite occurred here yesterday. The barracks were destroyed with great loss of life.

WASHINGTON, May 19.—The Organic Act amendments passed with changes. Recommendations for increase of salaries were not followed as far as the Governor and legislators are concerned. It is rumored that the Circuit Court Judges gets \$4000. The clause allowing an appeal to the Supreme Court was eliminated. The bill is now safe for the Conference Committee.

HONOLULU, May 18.—Judge Andrews had a rather better night. Conditions unchanged. Physicians hope for improvement.

Alexander Garner is dead from a blow inflicted by Ioela Andrews. A court of claims decided against Liliuokalani's claim for damages for loss of crown lands.

SAN FRANCISCO, May 18.—Joseph Griffin, a millionaire of Ontario, was killed in an elevator accident today.

MANILLA, May 18.—Lieut. Ames has been court martialed in connection with the sensational scandals involving his wife and Lieut. Jenny, who suicided at the home of the former.

NEW YORK, May 18.—Methods of swindling the government through trickery in underweighing sugar were demonstrated in the trial of Heike today.

PAOENIX, May 18.—No lives were lost in the hotel fire. This is the first where thirty-five persons were reported as "believed to have burned to death."

HONOLULU, May 18.—Halley's Comet will pass between the earth and the sun at 5.18 o'clock this afternoon.

The Honolulu supervisors have passed the ordinance for bituthilic pavement, and it will probably be vetoed by Mayor Fern.

The officials of Kauai are said to favor prohibition.

Another convict escaped from the guards yesterday.

PHOENIX, Arizona, May 18.—At a hotel fire here yesterday thirty-five persons are believed to have burned to death. Financial loss \$250,000.